



NATIONAL MOTORISTS ASSOCIATION

Empowering Drivers Since 1982

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Testimony for the Senate Commerce Committee On Senate Bills 627 and 628, December 9, 2015

Mr. Chairman and members of the committee, the National Motorists Association strongly opposes these bills.

The issue of authorizing tolled roads without approval by the Legislature on a case by case basis after public hearings has been raised before and defeated or withdrawn. In 2010, a proposal for Public Private Partnerships without legislative oversight under House Bill 4961 passed the House but was defeated in the Senate. A combined statement from PIRGIM, the National Motorists Association and the Owner Operator Independent Drivers Association of truck drivers helped defeat the bill. In 2014 House Bill 4925 proposed allowing some toll roads but immediate opposition from the public and the media stopped the bill.

Senate Bill 627 would allow tolls or user fees on new facilities AND on existing roads that were merely repaired, with no legislative oversight. The toll rates would have no legislative controls on amounts or their increases. The bill allows state or local authorities to create PPPs to do almost anything including exercising eminent domain with no legislative oversight, control, or right of veto. Michigan is blessedly free of toll roads and most other tolled facilities and it must stay that way, unless each individual project is approved by the Legislature after open public hearings.

Senate Bill 628 would create a third category of traffic ticket, a "Civil Violation", different from the existing categories of "Civil Infractions" and criminal offenses. An accusation of unpaid tolls could result in tickets documented with automated equipment that could result in suspending the vehicle owner's drivers license, and after a hearing could have the owner's wages garnished or the vehicle impounded until paid. The purpose for this third category of traffic ticket is to do an end run around existing Michigan law that requires traffic tickets to be delivered in person by a police officer witnessing the violation. A similar evasion was attempted in 2013 in House Bills 4762 and 4763 which could have brought red light cameras to Michigan. Those bills had a new third category of traffic ticket called a "Civil Offense" issued by automated cameras. A representative of the judges testified strongly against creating a new third category of traffic ticket. The issue of automated enforcement was opposed by the Police Officers Association of Michigan, the National Motorists Association, the ACLU, the Campaign for Liberty, Abate, the Mackinac Center, and others. The bills authorizing automated enforcement did not proceed in face of this opposition. Michigan is free of automated traffic enforcement except at railroad crossings and it must stay that way.

In no other state is driving more synonymous with freedom from tolls, vehicle tracking and automated enforcement than in Michigan. These issues are very important for our residents and our Pure Michigan tourists. The National Motorists Association believes no one should support Senate Bills 627 and 628. We urge the committee to reject them on principle.

Thank you and I would be happy to take any questions.

Respectfully submitted,

James C. Walker, for the National Motorists Association